

REQUIRES MONITORING OR
STAFF ACTION _____**COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTERS	<input type="checkbox"/>	DATE	<u>April 26, 2005</u>
MOTOR CARRIER MATTERS	<input type="checkbox"/>	DOCKET NO.	<u>2005-110-WS- -</u>
UTILITIES MATTERS	<input checked="" type="checkbox"/>		_____

SUBJECT:

DOCKET NO. 2005-110-WS - Petition of the Office of Regulatory Staff to Request Forfeiture of the Piney Grove Utilities, Inc.'s Bond and to Request Authority to Petition the Circuit Court for Appointment of a Receiver. Discuss with the Commission this Petition.

COMMISSION ACTION:

In regard to Agenda Item #7, dealing with the Petition of the Office of Regulatory Staff to request Forfeiture of the Piney Grove Utilities, Inc. Bond and to request authority to Petition the Circuit Court for Appointment of a Receiver and for other relief, **I move that this Commission:**

1. Grant ORS' request for a rule to show cause hearing to be held on May 26 at 10:30 in this hearing room regarding whether Piney Grove Utilities, Inc. has failed to provide adequate and proper service and whether any such failure has continued for an unreasonable length of time, and that the presentation of evidence at that hearing should address the propriety of pursuing the following relief raised by the Petition:

- A. an assessment of penalties against Piney Grove Utilities, Inc.;
- B. forfeiture of the entire performance bond on file with the Commission; and
- C. the filing of a petition with the Circuit Court for appointment of a receiver.

I further move that this Commission:

2. Deny ORS' request to waive Commission rules requiring the prefiling of testimony for certain witnesses who are members of the general public and who will be called to testify by ORS, and

3. Set pre-filed testimony deadlines of May 12, 2005 for ORS and May 19, 2005 for any responsive testimony.

PRESIDING Mitchell

	MOTION	YES	NO	OTHER		
					APPROVED	<input type="checkbox"/>
					APPROVED STC 30 DAYS	<input type="checkbox"/>
CLYBURN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		ACCEPTED FOR FILING	<input type="checkbox"/>
FLEMING	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		DENIED	<input type="checkbox"/>
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		AMENDED	<input type="checkbox"/>
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		TRANSFERRED	<input type="checkbox"/>
MITCHELL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		SUSPENDED	<input type="checkbox"/>
MOSELEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		CANCELED	<input type="checkbox"/>
WRIGHT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		SET FOR HEARING	<input type="checkbox"/>
					ADVISED	<input type="checkbox"/>
Session: Regular					CARRIED OVER	<input type="checkbox"/>
Time of Session	<u>2:00 PM</u>				RECORDED BY	<u>JBS</u>